



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

1595 Wynkoop Street  
DENVER, CO 80202-1129  
Phone 800-227-8917  
<http://www.epa.gov/region08>

VIA EMAIL

Ref: 8EPR-ER

July 28, 2014

Todd C. Hennis, President  
San Juan Corporation  
645 Water Street  
Silver Plume, CO 80476

Re: Request for Access – Upper Animas River / Cement Creek area properties,  
Silverton, CO

Dear Mr. Hennis:

I am writing this letter and providing the enclosed Consent for Access to request access to property that you own or hold under companies that you control. The U.S. Environmental Protection Agency (“EPA”) appreciates your past willingness to allow access to your properties in order to conduct investigations and obtain information about the ongoing releases of hazardous substances to the environment coming from historic mining related sources. As a cooperating party you are assisting in the effort to identify potential options to control these ongoing releases.

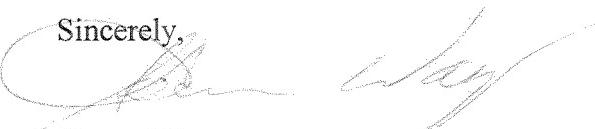
During the last several months you and I have been coordinating on plans to perform work at the Gold King mine (7 Level) regarding opening the collapsed tunnel. This letter is confirming that EPA plans to perform work at the Gold King Mine and other locations this year and in 2015. EPA is not requesting that San Juan Corporation perform work to open the adit; the request is for your cooperation in allowing access to various properties including those needed for opening the Gold King Mine – 7 Level adit, sampling and other investigative activities. The San Juan Corporation contribution to this work is outlined below based on our discussions.

During our meeting in Silverton on June 26, 2014 regarding the work at the Gold King you indicated that you are willing to provide certain materials to be used in the rehabilitation of the 7-level adit portal and underground support. Specifically, this includes the 37 steel arch sets, various steel I-beams, 150 feet of HDPE 8 inch pipe and cement mix for footers as needed. In addition, you indicated that San Juan Corporation is prepared to re-grade the access road to the Gold King 7-Level to allow vehicle access. EPA’s planning for work this year and in 2015 assumes the road work and the materials described above will be provided by the San Juan Corporation. At this time, I assume that you are able to provide these items and complete the road work before August 28, 2014; otherwise please inform me as soon as possible.

EPA will be conducting the investigation and related activities as described in the Consent for Access form pursuant to the authority of Section 104 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. §9604. As such, EPA is not required to obtain a permit or license for any of the work performed entirely onsite (the areal extent of contamination and all suitable areas in very close proximity to the contamination necessary for implementation of the response action). See CERCLA, 42 U.S.C. §9621(e) or 40 C.F.R. Part 300.400(e). The agencies will be providing the necessary equipment and personnel to perform the work associated with this request other than items outlined above.

Thank you for your cooperation in this matter, and if you have any questions, feel free to contact me (303-312-6723). Please, sign and return the enclosed consent for access by August 4, 2014.

Sincerely,



Steven Way  
On-Scene Coordinator

Enclosure

cc: Paula Schmittiel, 8EPR-SF  
Richard Sisk, 8ENF-L